



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

June 14, 2011

Honorable Dean Skelos
New York State Senate
Legislative Office Building, Room 909
Albany, NY 12247

Honorable Sheldon Silver
New York State Assembly
Legislative Office Building, Room 932
Albany, NY 12247

Dear Senator Skelos and Assembly Speaker Silver:

I am writing to urge you to ensure the passage of the historic all crimes DNA bill that is currently awaiting a vote in the Senate. (Senate bill 5560).

Together we share the sober responsibility of keeping New Yorkers safe from harm and ensuring justice for all of us. No single tool has been more important than DNA in making certain that we discharge this responsibility fairly, swiftly and effectively. DNA has allowed us, with certainty, to convict the guilty, bring justice for victims and exonerate the innocent.

Although we know DNA is sure and effective in preventing and solving crimes, as well as in exonerating the innocent, we only collect it for less than half of the Penal Law offenses now on the books. The costs are enormous – in human suffering and in financial resources. Offenders who commit serious crimes often have a history of more minor offenses as well. This pattern of serial offending, with misdemeanors interspersed with more serious offending is common one.

A recent New York State DCJS studied showed that thousands of crimes could have been solved more than five years sooner had DNA been collected on all Penal Law misdemeanor convictions. Included in that pool of crimes that would have been solved sooner are 47 homicides, 125 rapes/sexual assaults, 237 aggravated assaults, 320 robberies, 386 burglaries and 1,370 other offenses.

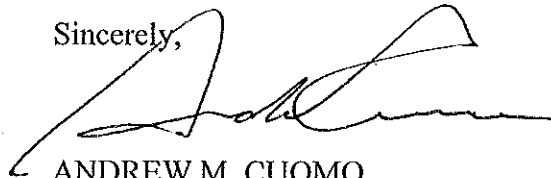


Case after case shows that during that five year period, offenders commit other crimes and misdemeanors. While that is the dry study, each one of those crimes that could have been avoided instead left in its wake anguish, heart-break and needless costs. By failing to collect DNA on all misdemeanors, we are not only delaying justice, we are putting more people in harm's way because we cannot identify those committing serious crimes through their previous offenses.

A broad array of our fellow New Yorkers recognize that DNA is simply what works to ensure the safety of all New Yorkers in the fairest way possible. Senate bill 5560 has strong support from advocates for crime victims (the Downstate Coalition of Crime Victim Advocates, Alliance against Sexual Assault and the Joyful Heart Foundation) including the District Attorney's Association, the State Sheriffs Association, the New York State Association of the Chiefs of Police and the bi-partisan New York State Justice Task Force created by Judge Lippman.

The time has come to say simply: Yes. We know what works. Now, let's do what works.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew M. Cuomo', with a stylized, sweeping flourish extending from the end of the name.

ANDREW M. CUOMO